

ASKS \$88,000 AS COMMISSION

J. E. Bamberger Suing on Centennial-Eureka Deal.

HAS RECEIVED \$21,000
SAYS CLARK AND COOLIDGE OWE HIM BALANCE.

The trial of the suit of J. E. Bamberger against Edward A. Clark and W. H. Coolidge, which involves a claim for \$88,000 alleged to be due as balance of commissions in a mining deal, was begun before a jury in the United States court yesterday morning.

It is averred by Bamberger that he sold defendants 22,000 shares of the Centennial-Eureka Mining company in 1899. He took options on the 22,000 shares at \$70 a share and, he says, sold them to the defendants at \$75 a share, agreeing to give them the benefit of 31 per share reduction in price provided the owners of the shares would let him have them at \$62. This they subsequently did.

Bamberger admits that he received \$21,000 from the defendants in part payment of the \$109,000 he should have received and he is suing for the balance of \$88,000. He also says that Clark and Coolidge claimed to have been hard hit shortly after they bought the 22,000 shares of Centennial-Eureka stock by the break in copper at Boston, and told him if he would wait until they could "pull out of the hole" they would settle with him in full.

HEROLD AGAIN ACCUSED.

More Charges Against Man Who Admits Sifting Mail.

William Herold, the cowboy and bronco buster arrested Monday at Willard for opening a letter and taking from a money order, and who after a plea of guilty was committed to jail by United States Commissioner Twomey in default of bail, has not yet been transferred to the jurisdiction of the United States district court of Montana.

Alfred D. Eckland of 339 South State street yesterday told Deputy Marshal L. H. Smyth that Herold forged a check on him two years ago. Several other charges of taking letters containing money orders from postoffices and forging money orders and checks may be made against Herold. It is charged that he has been busy appropriating other people's money during the past eighteen months or two years.

Court Notes.

Judge Hall yesterday awarded Henry Hoffman a decree against Heber Young and the numerous other heirs of Brigham Young, quieting title to lot 9, block 29, Fifth-ward plat A, Big Field survey, Salt Lake county.

Judge Stewart yesterday granted the motion of the Synms-Utah Grocery company to renew the judgment against F. J. McLaughlin for \$2,133.40 with 8 per cent interest from Sept. 1, 1903. Action was brought Oct. 7, 1901, to recover a judgment confessed Aug. 14, 1902, for groceries purchased. Only \$15.15 was collected on this judgment.

In the suit of the Oregon Short Line railway against John Halling, Joseph and Henry Turner, Judge Stewart ordered the judgment set aside and granted the railroad attorneys' motion for a new trial. The company began condemnation proceedings last August for a right of way to the Highland Boy smelter.

Winnie Edwards has asked for a divorce from Lee R. Edwards on the ground of non-support. The couple were married Sept. 29, 1900, and the wife alleges that since April, 1901, the husband has failed to support her. She asks the court to restore to her her maiden name, Winnie McFarlane.

W. C. A. Smoot and his neighbors who wanted the court to cut their lands from the town of Forest Dale, lost their case in Judge Hall's court yesterday. They alleged that they got nothing in return for the taxes paid to the town. The court held that the property owners petitioned to have the town established and no objection was made at the time. If Smoot and the others were adverse to the plan they should have made their objections when Forest Dale was incorporated, and not wait until a long while afterward.

The heirs of William H. Rice, who was killed by a Rio Grande train, settled with the company out of court for \$3,500, and Judge Morse dismissed the case yesterday. The accident occurred Oct. 4 at Castle Gate. Rice was then employed on a freight train. At the time he was on the rear end of a train that was being backed up onto a trestle over some coal bins. He was to signal the engineer when stop, but the train was going so fast and the place was so dark that the rear car went over the end of the trestle before

CHRISTMAS TREES FOR HOLIDAYS

Duck and Black Bass Seas o
Close Today

TURKEYS COMING IN SLOW

NO CHANGES MADE ON VEGETABLES OR FRUITS.

Wagonloads of Christmas trees came in yesterday, and every grocery store along Market row had them stacked up on the sidewalk. On account of the enforcement of the forestry law only the small pines can be cut down, and the trees have but few branches. Those on the market yesterday sold from 25 to 35 cents apiece, but the dealers believe they will be able to get some larger trees before Christmas.

The season for black-bass closes today, and the last shipment from Utah lake came in yesterday. They are quoted at 35 cents a pound, and last night they were almost closed out. The duck season also closes, and the dealers expect to see the price of chickens advance. Turkeys are coming in slowly, and the commission houses have ordered shipments from the east to supply the Utah market. During the past month large numbers of turkeys have been shipped outside the state, and now there are not enough to supply the local market.

Vegetables and fruit are being shipped to the market for the holiday trade, but no changes were made yesterday in the quotations.

Yesterday's quotations:

Meat.
Beef, 15c to 25c per pound. Veal, prime, 12c to 20c. Mutton, 8c to 15c. Pork, 12c to 20c. Dressed lamb, 12c to 15c. Lamb chops, 15c to 20c.

Fish.
Sea bass, 15c per pound. Black bass, 15c per pound. Salt codfish, 15c per pound. Barracuda, 15c per pound. Idaho trout, large size, 25c per pound. Salmon, 15c per pound. Halibut, 15c per pound. Striped bass, 25c per pound. Whitefish, 25c per pound. Sole, 25c per pound. Catfish, 15c per pound. Perch, 15c per pound. Salt codfish, 15c per pound. Smelts, 15c per pound. Utah catfish, 15c per pound. Fresh codfish, 15c per pound. Loosers, 15c per pound. Mackerel, 15c per pound. Oysters, extra select, 50c per quart can; 60c a quart; New York counts, 50c a can; 25c a dozen. Fresh codfish, 15c per pound. Salmon, 15c per pound. Halibut, 15c per pound. Striped bass, 25c per pound. Whitefish, 25c per pound. Sole, 25c per pound. Catfish, 15c per pound. Perch, 15c per pound. Salt codfish, 15c per pound. Smelts, 15c per pound. Utah catfish, 15c per pound. Fresh codfish, 15c per pound. Loosers, 15c per pound. Mackerel, 15c per pound. Oysters, extra select, 50c per quart can; 60c a quart; New York counts, 50c a can; 25c a dozen.

Poultry.
Hens, live, 12c to 15c; dressed, 12c to 15c; per pound. Spring chickens, dressed, 15c per pound. Mallards, 6c to 7c a brace. Teal, 20c a brace. Turkeys, 25c a pound.

Dairy Products.
Butter, creamery, 30c per pound. Ranch, 15c to 20c per pound. Eggs, 25c to 30c per dozen. Cheese, Utah cream, 15c to 20c per pound; eastern, 20c; Limburger, 20c; imported Swiss, 40c; brick, 25c. Honey, comb, 15c box; strained, 25c per pint.

Vegetables.
Parasols, 25c per peck. Potatoes, new, 15c per peck. Sweet potatoes, 8c per peck. Radishes, 25c per bunch. Cauliflower, Utah, 10c each. Wax beans, 10c per pound. Turnips, 2c a bunch. Young beans, 25c per bunch. Parsley, 5c a bunch. Carrots, 20c per peck. Lettuce, Franchise, 40c a bunch. Stuffed, 5c per bunch. Pickles, 5c a bunch. Peppers, green, 15c a pound. Yellow squash, 5c a bunch. Summer squash, 5c each. Hubbard squash, 15c each. Egg plant, 5c each. Cabbage, 15c each. Red, 5c per pound. Vegetable marrow, 2 for 15c. Dills, 5c a bunch. Pumpkins, 15c. Winter watermelons, 15c to 20c. Cranberries, 2 quarts for 25c.

Fruits.
Black grapes, 12c per pound; 75c a basket. Lemons, 20c to 30c per dozen. Figs, 15c per package. Navel oranges, 40c to 50c per dozen. Bananas, 15c to 40c per dozen. Utah watermelons, 15c. Utah apples, 20c to 40c per peck. Pears, Utah, 25c per peck; 20c to 30c a peck. Cranberries, 2 quarts for 25c. Pineapples, 30c each. Quinces, 40c per peck. Coconuts, 10c each. California strawberries, 20c box. Tangerine oranges, 25c per dozen.

Grain.
Bran and shorts, \$1.10 per hundred. Corn, \$1.50 per hundred. Oats, \$1.00 per hundred. Milling wheat, \$1.10 per bushel. Feed wheat, \$1 per bushel. Barley, feed, \$1.15; rolled, \$1.50. Cornmeal, \$1.50.

Hay and Straw.
Alfalfa, \$12 per ton. Timothy, \$15 per ton. Straw, 45c per bale.

Flour.
High patent, \$2.00; straight grade, \$2.70; bakers' No. 1, \$2.50.

STORM IS DUE.
"PHONE 2600 FOR
ROCK SPRINGS 'PEACOCK' COAL.
Always on hand. We sell no other.
Central Coal & Coke Company,
38 South Main Street.
"At the sign of the Peacock."

RUSSIA'S TURN IS COMING SOON

General Staff Satisfied With Present Conditions.

WINTER IS THE CZAR'S ALLY

JAPS TO BE DRIVEN BACK BEFORE SPRING.

St. Petersburg, Dec. 14.—The general staff apparently is entirely satisfied with the military situation in Manchuria, being convinced that the Japanese have reached their high tide. A high officer said to the Associated Press correspondent today:

"The Japanese army is unique in military history and probably the strongest in the world, combining the strength of barbarism with civilization, drawing from the former fanatical bravery and scorn of death and from the latter the latest knowledge of the science of war. We have been fighting them under heavy handicaps, but have at last definitely stopped them. They have missed the psychological moment. They should now be at Harbin with Vladivostok and the eastern country cut off and de facto theirs, instead of wintering where they are. The cold is Russia's ally now as it was against Napoleon. The Japanese cannot endure extreme cold like the Russians. They are not strong enough to attempt to turn Mukden now and will not be even if Port Arthur falls and 50,000 reinforcements are sent up to join Field Marshal Oyama. In the meantime Russian troops are piling up behind Mukden. In February, before the port of Newchwang is ice free, General Kuropatkin will have close upon half a million men disposed in three armies, amply sufficient to turn Oyama's position at the Shalieu river and force the Japanese back into Korea and the Liao Tung peninsula."

TORPEDO ATTACKS.
Japs Attempting to Destroy the Battleship Sevastopol.

Tokio, Dec. 14, evening.—Vice Admiral Togo reports a series of torpedo attacks on the Russian battleship Sevastopol, beginning at midnight of Monday last (Dec. 12). The Russians, the admiral says, vigorously resisted the attacks.

The results of the explosions of the torpedoes have not yet been ascertained.

The Sevastopol was the only battleship at Port Arthur to escape damage by the Japanese bombardment from 205-Meter hill. Official Japanese dispatches said that she appeared to be lying in the east harbor, that only the tops of her masts were visible to the Japanese gunners, and that her hull was completely hidden by a hill.

An unofficial report circulated at Tokio said that on Dec. 3, Japanese torpedo boat destroyers had attacked the Sevastopol at the mouth of the harbor but that the result of the attack was unknown.

A dispatch from Tokio Dec. 11, conveying an official report said that the Sevastopol continued at anchor outside the harbor possibly returning at night. Her anchorage, according to the dispatch was at that time inside the outer boom of the harbor, protected her against torpedo attacks.

In this connection it may be interesting to recall the fact that according to the same dispatch the whereabouts of the Russian torpedo boat destroyers continued to be doubtful, and that it was thought they had taken shelter outside.

REMOVING THE DEAD.

Awful Spectacle on the Slopes of 203-Meter Hill.

Before Port Arthur via Fushan, Dec. 14.—The work of removing the dead from the slopes and crests of 203-Meter hill has been completed on the north side. The south slopes are still covered with bodies buried under the debris of trenches and bomb-proofs. The long lines of Japanese dead laid out on top of the hill and the slopes present an internment presented an awful appearance. Most of the bodies were partially naked and horribly torn by dynamite bombs.

Effect of Dynamite.

Before Port Arthur via Fushan, Dec. 14.—The effect of dynamite used as an offensive weapon in the form of hand grenades is instanced in an appalling manner by the condition of the dead bodies which are torn and unrecognizable masses of flesh and bone. Fragments of hundreds of killed unearthened from the filled-in Russian trenches presented a scene of awful horror. The

heavy timbers and steel plates of the bomb proofs were torn to splinters by shells and dynamite.

Entirely False.

St. Petersburg, Dec. 14.—The admiralty characterizes the statement from Shanghai, published in London Dec. 9, that the Russian cruiser Askold to join Admiral Rojestvensky's squadron as a piece of fiction. Nothing of the sort is contemplated. A telegram from the captain of the Askold a few days ago reported that there was no change in the situation.

No Reason Given.

St. Petersburg, Dec. 14.—The American embassy has received a letter signed by sixty-eight Japanese officers who are prisoners at the village of Medvid, province of Novgorod, asking the embassy to send a representative there. No reason for the request is assigned. One of the attaches of the embassy will be dispatched to Medvid immediately.

ROOM MADE FOR THEM

New Senators Assigned to Places on Various Senate Committees.

Washington, Dec. 14.—The report of the committee empowered to fill vacancies in the senate committees was made today. It involved a number of changes by old senators in order to make places for Senators Dick of Ohio, Crane of Massachusetts and Knox of Pennsylvania. Two important chairmanships were filled, those of Senator Mitchell for intercoastal canal and Senator Platt of Connecticut for Judiciary. The report of assignments follows:

Senator Crane—Industrial expositions, chairman; Canadian relations; to examine the several branches of the civil service, post offices and post roads; public buildings and grounds.

Senator Dick—Indian depredations, chairman; engraved bills; mines and mining; naval affairs; territories.

Senator Knox—Consolidated defense, chairman; Indian affairs; intercoastal canal; organization; conduct and expenditure of legislative departments; privileges and immunities.

Senator Allen—To chairmanship of organization, conduct and expenditure of legislative departments.

Senator Burnham—To chairmanship of Cuban relations; agriculture.

Senator Hopkins—To commerce.

Senator Lodge—To rules.

Senator Spooner—To judiciary.

Senator Eliot—To appropriations.

Senator Clapp—To Cuban relations.

Senator Dillingham—To Indian affairs.

DISTRICT IS UNSAFE.

Turkey Appears to Have Some Valid Objections.

Constantinople, Dec. 14.—In consequence of American and British representations the porters have renewed instructions to the provincial authorities to allow porters to sell bibles in towns and villages. The porters, however, persist in objecting to porters traversing the disturbed rural districts of European Turkey on the pretext that their safety cannot be guaranteed, and also to the sale of Bibles in the Anatolian provinces, because of the alleged fear that the porters may distribute seditious literature to the Armenians. The American Bible society is principally interested in Anatolia.

EL PASO AROUSED.

Santa Fe Road Charged With Unjust Discrimination.

El Paso, Tex., Dec. 14.—The United States interstate commerce commission will hold a special session here tomorrow to investigate the charges of coal and fuel dealers that the Santa Fe railroad is discriminating in favor of the Colorado Fuel & Iron company on freight rates into the city, and the general charge of El Paso merchants that all railroads are discriminating against this place on freight rates.

Judge C. A. Prouty of Vermont will sit on the bench and J. T. Maydwell will act as attorney for the commission.

NO USE TO ARIZONA.

Keams Wants to Add a Strip of Territory to Utah.

Washington, Dec. 14.—Senator Keams today introduced a bill providing for the annexation to Utah of all that portion of Arizona lying north of the Colorado river. The portion of Arizona affected is about 800 square miles in area. It is north of the Grand canyon, and on that account inaccessible to authorities of Arizona. It is said it now forms a haven for criminals and the purpose of the measure is to give Utah criminal jurisdiction over the tract.

CASES GO OVER UNTIL MARCH

Mitchell and Hermann Will Have to Appear in Court.

MORE INDICTMENTS LIKELY

SENSATION IN THE LAND
FRAUD TRIALS.

Portland, Dec. 14.—On motion of Special Assistant United States Attorney General Francis J. Heney this morning all the land fraud cases now pending in the United States circuit court for the district of Oregon were ordered to go over for the term. The witnesses ascribed to appear were excused for the term and speculation is rife as to the cause for this unexpected action on the part of the government. In moving for a continuance Mr. Heney gave the court no reason for the movement, other than to say that the government desired not to disclose its reason at this time, but reasons at hand were regarded by the prosecution as sufficient to justify the course taken.

After the motion for a continuance was allowed the order entered, United States District Attorney John H. Hall asked the court that the federal grand jury, which was given a recess early in November, be ordered to reconvene next Monday.

Statement by Prosecution.

Special Assistant United States Attorney General Francis J. Heney this afternoon gave out the following statement of reasons why he asked for a continuance of the pending land fraud cases:

"It is necessary for me to be in San Francisco on important business Jan. 3, and to be in Washington on the Hyde diamond land frauds case during the second week of January; and as it appeared that the conspiracy case, upon the trial of which we were about to commence, would consume as much time as the preceding one, and would thereby prevent me from keeping my engagements, and as I desired to present some important matters to the grand jury before leaving here, I secured the consent of the attorneys for the defendants to continue the pending cases for the term in consideration for the government's making some slight concessions in relation to the defendants' bonds in the cases which have not yet been tried.

"For obvious reasons it would not be proper for me to give any intimation as to what the matters are, which I expect to present to the grand jury."

Mr. Heney said it is likely that the cases continued will come up for trial at the March term of court.

ACTIVITY IN POLITICS

Secretary Tumber of the Rural Mail Carriers Marked For the Slaughter.

Washington, Dec. 14.—Orders were issued today for an investigation of the case of Secretary Tumber of the Rural Carriers' association, whose signature was on the circular letter sent committee for congress asking them as to their position on legislation affecting the carriers. A postoffice inspector will immediately be assigned to look into his actions on these matters. Tumber is employed as rural carrier at Lockport, N. Y., and a large number of letters is alleged to have been sent out by him in contravention of the legislative order of President Roosevelt.

The postal officials are determined to break up the alleged lobbying which they assert has been going on here in connection with proposed measures affecting the interests of postal employees. It is anticipated at the postoffice department that the removal of President Kellar of the Letter Carriers' association and President Cunningham of the Rural Carriers' association will be sufficient warning to the postal employees to strictly observe the orders prohibiting any attempts, individually or through an organization, to influence legislation.

It is recognized that some employees may have contributed more or less innocently to aid in the efforts to procure legislation, and the government is observing a lenient policy toward such cases that have heretofore occurred, if found out, any employee who shall hereafter contribute for any such purpose will be instantly removed from the service.

It became known today that the president of the Association of Railway Mail Clerks recently asked for authority to claim that the interest of his order. No claim was at first paid to this request, and another letter was received asking for immediate answer. The request was then refused, and no further word has reached the postoffice department from him.

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ONE PRICE TO ALL - NEVER UNDERSOLD

This Is Going To Be a Big Day Here!
Read These Values, Tell Your Friends and Neighbors About These—Join the Crowds.

The Greatest of All Neckwear Sales.
LACE AND FANCY
Stock Collars and Turn-Overs
Neat and pretty designs, a great variety to choose from, in values up to 50c each. go on sale today, 2 to 5 o'clock at each **12c**

Our Shoe Department Special.
ALL DAY TODAY.
Fleece Lined Soles.
PEERLESS FLEECE LINED SOLES for making slippers are the best made, and retail for only **19c**

Here is news that's sure to be interesting. For just at this time a happy offer of
EIDERDOWNS.
For lounging robes and bath robes is most welcome. From 2 to 5 o'clock this afternoon we'll sell YARD WIDE ALL-WOOL EIDERDOWNS in red, old rose, pink, light blue, lavender and medium blue, value 60c a yard at a yard **33c**
LIMIT 10 YARDS TO A CUSTOMER.

TWO SPECIALS
IN
Children's Coats.

LOT 1—Consists of about thirty children's Eiderdown Coats, trimmed with angora fur, some slightly soiled, values up to \$1.75. On special sale today at **69c**

LOT 2—Twenty-five little girls' short coats of heavy kersey cloth, with large sailor collar, trimmed with braid, comes in caslor, navy blue and red, sizes 4 to 14 years, best \$3.00 value ever sold, on special sale today at **\$1.95**

HAZELNUT

BRAND BUTTER.

For 5 cents per pound we guarantee you will never have any bad butter. It costs more than other brands to get Hazelnut, which not only carries this guarantee but gives you the best butter made. It costs but a trifle per meal. Why not have the best?

FAUST CREAMERY & SUPPLY CO.

HAMILTON'S

HOLIDAY SUGGESTIONS

Never in our history have we had such an elegant stock to select from. WITH PRICES SO LOW for this season of the year.

WHY NOT GET A HANDSOME GOWN, SUIT COAT AND HAT AT THESE REMARKABLY LOW PRICES? Also dainty remembrances in Smart Toggery, such as Fancy Collars, Belts and Novelties. Prices—50c to \$5.00.

Elegant Silk Crepe Gowns

MADE OVER SILK.

Regular \$50 for	-	-	-	\$35
Regular \$65 for	-	-	-	\$45
Regular \$95 for	-	-	-	\$65
Regular \$125 for	-	-	-	\$75

Smart Tailor Made Suits

Regular \$50 for	-	-	-	\$35
Regular \$65 for	-	-	-	\$45
Regular \$95 for	-	-	-	\$65
Regular \$150 for	-	-	-	\$75

HATS HALF OFF
Hamilton's Holiday Prices
216 South Main Street.

WE ARE NOT SELLING OUT

We are here to stay. Must make room for spring goods.

Clothing and Overcoats

Offered at greatly reduced prices.
NO OLD STOCK.
EVERYTHING NEW.

Christmas goods must be sold. We have everything the heart desires: House Jackets, Bath Robes, Silk Suspensers, Mufflers, Neckwear, Gloves, Handkerchiefs, Umbrellas, at

111-113 Main St.,
"Where the clothes fit." **POULTON, MADSEN, OWEN & CO.**

The Great Consolidation Sale

Attracts the crowds in ever increasing numbers. Never such value giving in fine Clothing, never such an opportunity for the men and youth of Salt Lake to secure the very finest Suits and Overcoats produced in America at so low a price as rules at this store throughout the entire stock. No reserve. All of the famous ALFRED BENJAMIN and the KENSINGTON Suits and Overcoats are on sale, and all at the following marvelous price reductions:

All \$15.00 values at	.....	\$11.50
All \$18.00 values at	.....	\$13.50
All \$20.00 values at	.....	\$15.50
All \$25.00 values at	.....	\$19.00
All \$30.00 values at	.....	\$23.00
All \$35.00 values at	.....	\$27.00
All \$40.00 values at	.....	\$30.00
All \$45.00 values at	.....	\$35.00

Suits and Overcoats

Smoking Jackets & Dressing Gowns on Sale.

All \$8.50 values at	.....	\$6.50
All \$10.00 values at	.....	\$7.50
All \$12.50 values at	.....	\$9.50
All \$15.00 values at	.....	\$11.50
All \$20.00 values at	.....	\$15.00

Fine Fur Gloves, Dress Gloves, Fine Mufflers, Fine Neckwear, Sweaters, Fine Shirts and many other articles appropriate for Christmas presents for gentlemen. Allow us to show you the line.

GRAY BROS. & CO. 154 MAIN STREET